


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 09 2005

JOHN F. CORCORAN, CLERK
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DEMOND O'NEIL PARKER,
Petitioner,

Civil Action No. 7:05-cv-00549
Crim. No. 6:99-cr-70054

v.

FINAL ORDER

UNITED STATES OF AMERICA,
Respondent.

By: Hon. Norman K. Moon
United States District Judge

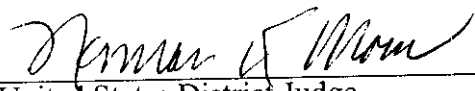
In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that petitioner's motion under Fed. R. Civ. P. 60(b), which the court construes as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. §2255, shall be and hereby is **FILED** for administrative purposes only as a § 2255 motion and is **DISMISSED** without prejudice, and the action is stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 9th day of September, 2005.


United States District Judge